

WOODMAN EDMANDS DANYLIK AUSTIN  
SMITH & JACQUES, P.A.

ATTORNEYS-AT-LAW

ROBERT B. WOODMAN  
PETER L. EDMANDS  
THOMAS DANYLIK  
RALPH W. AUSTIN  
JAMES B. SMITH  
KEITH R. JACQUES  
MICHAEL J. O'TOOLE  
HARRY B. CENTER II  
SANDRA L. GUAY

234 MAIN STREET  
P.O. BOX 468  
BIDDEFORD, ME 04005-0468  
TELEPHONE: 207-284-4581  
FAX: 207-284-2078  
E-MAIL: krj@woodedlaw.com

February 28, 2013

Michael Parker, Project Manager  
Dept. of Environmental Protection  
#17 State House Station  
Augusta, ME 04333-0017

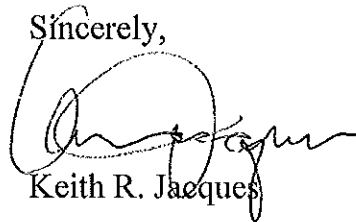
**RE: Amendment Application to Accept Municipal Solid Waste from  
Maine Sources, #S-020700-WD-BC-A**

Dear Mr. Parker:

Enclosed for filing is the Pre-Filed Testimony of John D. Bubier, City Manager, City of Biddeford, Maine regarding the above entitled matter. It is anticipated that Mr. Bubier will be the City's sole witness and that his testimony will take no more than 15 minutes.

Thank you for your assistance.

Sincerely,



Keith R. Jacques

KRJ/cem

Enc.

cc: Intervenor Service List

John D. Bubier, Biddeford City Manager

Alan C. Casavant, Biddeford Mayor

In the Matter of: )  
 )  
AMENDMENT APPLICATION TO )  
ACCEPT MUNICIPAL SOLID WASTE) )  
FROM MAINE SOURCES )  
DEP #S-020700-WD-BC-A )

My name is John D. Bubier. I am the duly appointed City Manager for the City of Biddeford, Maine. I have been the Biddeford City Manager for over eight years. Prior to becoming City Manager of Biddeford, I was the City Manager of Bath, Maine for eight years.

The City of Biddeford, Maine offers the following comments in the matter of the “Amendment Application to Accept Municipal Solid Waste from Maine Sources” (“Application”):

The City of Biddeford supports the Application. Approval of the Application provides several direct and indirect benefits, all of which are consistent with and support the State of Maine's solid waste management policies.

The City of Biddeford is well aware of the larger policy issues surrounding solid waste management having lived with the ramifications of being a host community for the Maine Energy Recovery Company facility (“Maine Energy”) since 1987. Maine Energy served as the solution to solid waste management disposal issues for Biddeford and 13 Southern Maine communities as well as the State of Maine for 25 years. Unfortunately, the facility also served as the processor of approximately 170,000 tons of out of state waste imports. On November 30, 2012, Biddeford purchased the Maine Energy facility. The facility ceased operations at the end of 2012. Beginning on January 1, 2013, Biddeford began transporting its waste to a transfer station in Westbrook, Maine.

Biddeford has a substantial interest in insuring that the State owned Juniper Ridge Landfill ("JRL") is available to Biddeford and the other Southern Maine communities previously served by Maine Energy. The Application proposes that JRL will receive up to 93,000 tons per year of the MSW which they previously disposed at Maine Energy. At the same time, however, the amount of front end processing residue and incinerator ash disposed at JRL will decrease by approximately 93,000 cubic yards per year. Biddeford understands that the Application will not represent an increase in the amount of solid waste disposed annually at JRL nor will it affect the design and life expectancy of JRL.

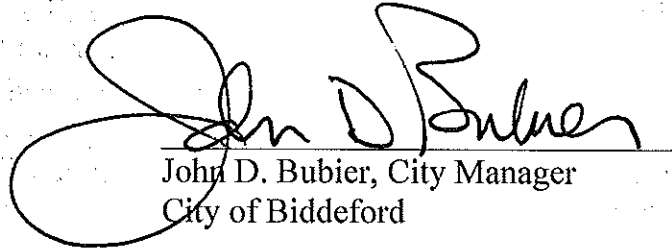
Biddeford also has a substantial interest in reducing the amount of MSW that is disposed at Maine facilities. In this regard, Biddeford has been an advocate for improving statewide recycling and limiting the import of out of state MSW for many years. The Application achieves these goals. The closure of Maine Energy and the diversion of in state MSW to JRL will insure that approximately 170,000 tons of out of state waste previously processed and combusted at Maine Energy will remain outside of Maine's borders thereby resulting in a significant source reduction for Maine's waste management system.

It is Biddeford's belief that the Application also will further reduce the disposal of MSW by facilitating the development of municipal recycling programs. In this regard, beginning in July 2013, Biddeford will commence a curbside single sort recycling program. It is Biddeford's understand that Casella Waste Systems or its affiliate is planning a single sort recycling facility in the Lewiston area. It is reasonable to assume that as additional single sort recycling programs and facilities are made available, as contemplated in the Application, other municipalities will increase their recycling efforts thereby diverting MSW from the Maine solid waste system.

The elimination of approximately 170,000 tons of out of state waste and the diversion of in state MSW through greater recycling efforts without a corresponding increase in the amount of solid waste disposed per year at JRL will have positive implications for the citizens of Maine which are consistent with Maine's solid waste management policy. The State's solid waste management hierarchy recognizes that it is the policy of the State to actively promote and encourage waste reduction measures from all sources and maximize waste diversion efforts. The Application eliminates approximately 170,000 tons of out of state waste and actively encourages single sort recycling. In addition, an outdated and inefficient incinerator has been eliminated from Biddeford's downtown triggering significant economic development within Biddeford and Southern Maine. These substantial benefits to several Maine communities and the State of Maine are achieved without increasing the amount of solid waste disposed per year at JRL and without impacting the MSW capacity projections for the State of Maine as a whole. For those reasons, Biddeford supports the Application.

Thank you for your consideration.

Dated: February 28, 2013.

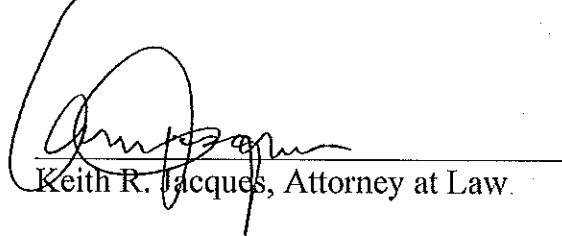
  
John D. Bubier, City Manager  
City of Biddeford

STATE OF MAINE  
YORK, ss.

February 28, 2013

Personally appeared the above named John D. Bubier and made oath as to the truth of the foregoing statements.

Before me,

  
Keith R. Jacques, Attorney at Law.